

**BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION  
STATE OF FLORIDA**

INQUIRY CONCERNING A JUDGE,  
NO. 04-53, ALAN TODD

CASE NO. \_\_\_\_\_

**AFFIDAVIT OF STEVEN G. HORNEFFER**

**STATE OF FLORIDA**

**COUNTY OF SEMINOLE**

Before me, the undersigned authority, personally appeared **Steven G. Horneffer**, who is personally known to me, and who having been duly sworn, deposes and says:

1. I am over the age of 18 years and otherwise sui juris.
2. I have known Judge Todd since early 1978 when he was practicing law in Winter Park, Florida. I went to work with Judge Todd and Jim Files at his office at 180 Park Avenue North, Winter Park, in April of 1978. Judge Todd and I have been friends ever since. I attended both of his children's weddings, his son's graduation from college at the University of Colorado, and otherwise maintained a close relationship with Judge Todd and his family during the subsequent quarter of a century. They are the finest and highest caliber of people I know.
3. One of the first things that I learned about Judge Todd was that he has a highly evolved sense of humor. Jim Files used to joke that Judge Todd's favorite holiday was April Fool's Day. Judge Todd always took great pleasure in comic relief and the levity that made the practice of law a little easier to bear. At the same time I have always found Judge Todd to be extremely ethical and of the highest integrity not only in the practice of law but in his treatment of people in general. He has helped impoverished refugees as well as the silk stocking crowd in Winter Park because to Judge Todd the idea that all people are created equal actually means what it says.
4. Having reviewed the allegations which precipitate this affidavit, I have no doubt that the comments Judge Todd made were not intended to cause pain, indignity or a negative influence of any kind, because Judge Todd is incapable of such behavior. While I can detect the seeds of Judge Todd's sense of humor in these allegations, I can also discern that they have been taken out of context and anointed with a little guilty spin because Judge Todd takes no pleasure in belittling or harming others. This can be easily perceived when he is required to impose an incarcerative sentence on one of the defendants before him. He anguishes over such punishment and detests the idea of harming another human being physically or emotionally.
5. I am certain that Judge Todd did not intend to inflict emotional distress on the complainants because that is simply alien to his make up and any inference of negativity must

have been in the mind of the beholder. These people had to know that this was intended to be playful teasing and not insulting.

6. Judge Todd, while generally respected and liked by court personnel, does have his detractors, who think he spends too much time "coddling the criminals". He will spend as much time as it takes to explain to each person at arraignment their rights, the jeopardy they face and the procedure of the system. Many a court deputy has missed lunch because of Judge Todd's solicitous and thorough approach to insuring that every citizen accused has every question answered during their day in court. Many of the deputies despise him as weak on crime. I surmise that Deputies Hood and Bagley are of that camp because they have taken offense where they must have known none was intended.

7. Finally, for any fault that Judge Todd may bear in this matter, I would expect that one would take into account his thirty (30) plus years of service to his community and the myriad benefits he has conferred on his fellow citizens during that time.

Further Affiant sayeth naught.

  
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Steven G. Horneffer, Affiant

SWORN AND SUBSCRIBED before me this 20<sup>th</sup> day of September, 2005.



  
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Notary Public - State of Florida